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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/597,175

08/31/2006

Kari Juppi

METSO-63

7133

36528 7590 10/16/2008

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EXAMINER

LU, JIPING

ART UNIT

PAPER NUMBER

3743

MAIL DATE

DELIVERY MODE

10/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,175	<b>Applicant(s)</b> JUPPI ET AL.	
	<b>Examiner</b> Jiping Lu	<b>Art Unit</b> 3743	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 14-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36 is/are allowed.
- 6) ☒ Claim(s) 14-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/13/06</u>                                                   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. It is noted that the applicants submitted Search Reports issued in Finnish App. Nos. 20040049,20040224,20040225,20040337,20045148 for examiner to consider for patentability. Applicant is requested to provide a legible copy of each cited foreign patent document in the Finnish Search Reports 20040049,20040224,20040225,20040337,20045148 and a concise explanation for the relevance for these references cited in search reports so that the examiner would not miss any important references when determining patentability.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 14-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf et al. (U. S. Pat. 6,442,865) in view of Komulainen et al. (WO 02/36880 A1).

Wolf et al. shows an arrangement in a paper or board machine comprising a press section 16 equipped with at least one press nip 14, a paper or board web 12 having a first side and a second side opposite the first side, the paper or board web extending from the press section 16 through a dryer section 10, the dryer section 10 further comprising a web-supporting web transfer 10 through the dryer section, a pre-impingement dryer 18 which follows the press section 16 and which is arranged to cause direct blowing of air or other hot gas against the paper or board web 12 positioned immediately before a impingement dryer 22, and a first dryer group of dryer cylinders 26 positioned subsequent to the impingement dryer which are arranged same as claimed. The pre-impingement dryer 18 is arranged to dry the first side of the paper or board web 12 and the impingement dryer 22 is set to dry the second side of the paper or board web 12. Wolf et al. also disclose a method of dewatering and drying a paper or board web comprising the steps of pressing the paper or board web 12 in a press nip 14 of a pressing section 16, flowing the pressing section, drying a first side of the paper or board web by blowing air or other hot gas directly on to the first side of the paper or board web 12 in a pre-impingement dryer 42; after the pre-impingement dryer 18, drying the second side of the paper or board web in a impingement dryer 22 by blowing air or other hot gas directly on to the second side of the paper or board web, and drying the second side of the paper or board web in a group of steam heated dryer cylinders 26 which drying surface is the first of the surfaces of the group steam heated dryer cylinders to contact the paper or board web 12. However, Wolf et al. do not show a vertical impingement dryer. Komulainen et al. teach an arrangement in a paper or board machine with a vertical

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impingement dryer 101 same as claimed. The vertical impingement dryer 101 comprises a fabric loop 1 having an inner side and an outer side and a plurality of rolls 13 inside the fabric loop 1 supporting and leading the paper or board web downwardly to form the vertical impingement dryer. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the vertical impingement dryer 101 of Komulainen et al. for the impingement dryer 22 of Wolf et al. in order to obtain a predictable drying result. With regard to the claimed length of the pre-impingement dryer and the vertical impingement dryer, the air or other hot gas temperature of the pre-impingement dryer or the vertical impingement dryer, the draw difference and the content-moisture range of dried web, it would have been an obvious matter of design choice to design web drying arrangement and method of wolf et al. with any desired dryer length, air temperature, draw difference and dried web content-moisture range in order to obtain the optimum result since applicant has not disclosed that the claimed dryer length, air temperature, draw difference and dried web content-moisture range solve any stated problem in a new or unexpected way or are for any particular purpose which is unobvious to one of ordinary skill in the art. Moreover, it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

***Allowable Subject Matter***

5. Claim 36 is allowed.

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***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jiping Lu whose telephone number is 571 272 4878. The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KENNETH RINEHART can be reached on 571-272-4881. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jiping Lu/  
Primary Examiner  
Art Unit 3743

J. L.